

REMARKS

Claim 10 has been amended to recite "treating or inhibiting non-insulin dependent diabetes mellitus." Support for this amendment is found in the specification at, for example, page 5, line 29 - page 7, line 8; page 9, lines 2-19; page 10, lines 1-30; and page 11, line 26 - page 12, line 6 and in Examples 2-4.

It is submitted that no new matter has been introduced by the foregoing amendment. Approval and entry of the amendment are respectfully solicited.

Enablement Rejection

Claims 10-13 and 20-24 were rejected under 35 USC § 112, first paragraph, on the asserted grounds that the specification "does not reasonably provide enablement for preventing non-insulin dependent diabetes mellitus with phytanic acid or a derivative of phytanic acid." (Paper No. 20051025 at 2.)

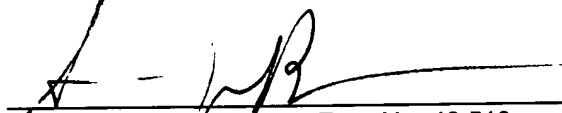
In making the rejection, the Examiner asserted that the "specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention commensurate in scope with these claims." (*Id.*)

As suggested by the Examiner, claim 10 (the sole independent claim under examination) has been amended to recite "treating or inhibiting non-insulin dependent diabetes mellitus." Accordingly, it is respectfully submitted that the rejection has been rendered moot and should be withdrawn.

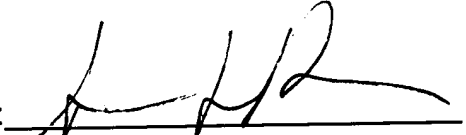
Application No.: 10/766,118
Amendment Dated: December 8, 2005
Reply to Office Action Dated: October 27, 2005

Accordingly, for the reasons set forth above, entry of the amendment, withdrawal of the rejection, and allowance of the claims are respectfully requested. If the Examiner has any questions regarding this paper, please contact the undersigned.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 8, 2005.


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Respectfully submitted,

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